

Defendant.

OPINION & ORDER
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Case No. 1:12-CV-00478
Gwin, J.

In this case, neither party has objected to the Report and Recommendation. Moreover, having conducted its own review of the record and the parties' briefs, the Court agrees with the recommendation of Magistrate Judge Armstrong that the Court affirm the Commissioner's decision.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Armstrong's Report and Recommendation and incorporates it fully herein by reference, and **DISMISSES** Plaintiff Scott's complaint.

IT IS SO ORDERED.

Dated: January 22, 2013

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE